

Remarks/Arguments

In the Office Action dated October 2, 2006, the Examiner rejected all the pending claims (claims 1, 9, 16, 18, and 19)¹ under 35 U.S.C. § 103(a) as being obvious and unpatentable over U.S. Pat. No. 6,119,094 to Lynch et al. in view of U.S. Pat. No. 5,021,953 to Webber et al. (collectively referred to herein as the “Cited References”). In response to the October 2, 2006, Office Action, Applicant has amended independent claims 1, 9, and 16 (dependent claims 18 and 19 depend from claim 16). Applicant respectfully requests reconsideration of claims 1, 9, 16, 18, and 19 as presently presented.

Applicant notes that the present application was published on November 16, 2006, as Pub. No. US 2006/0259335 and the paragraph number references herein are to the paragraph numbers in the published application.

Lynch et al.

As amended herein, the independent claims require, among other things, that the bulk inventory database contains pre-allocated inventory information provided by travel product suppliers. The Office Action cites Lynch et al. as disclosing a “database containing inventory information.” While the Lynch et al. database may contain inventory information, the Lynch et al. inventory is not the same as the inventory information described in the independent claims. In particular, the independent claims recite the inclusion of pre-allocated inventory information provided by travel product suppliers, that is inventory of travel products that have been pre-allocated by travel product suppliers for inclusion in system of the claimed invention. (See ¶

¹ The October 2, 2006, Office Action incorrectly identifies claims 10 and 11 as being pending in the application and rejected. Claims 10 and 11 were cancelled in the May 22, 2006, Amendment and Response Accompanying Request for Continued Examination.

[0029] for a description of the pre-allocation.) Unlike the claimed pre-allocation, the system in Lynch et. al. obtains its inventory information from one or more computer reservation systems used by a particular travel agency. This process is described at col. 4, lines 6-22; col. 6, lines 10-40; and FIG. 3 in Lynch et. al. Thus, included in the independent claims and missing from the teachings of Lynch et al. is the use of pre-allocated inventory information.

The independent claims further include recitation of the use of a “component bundler” to assemble multiple individual travel products into a package after application of the pre-determined rules for allocation of inventory and pricing. Figure 1 of Lynch et. al. is cited as teaching the use of a component bundler. The “set of low-priced alternatives” shown in FIG. 1 of Lynch et al. and described at col. 8, line 56 to col. 9, line 5 is simply not a “component bundler” as that term is used in the independent claims. The cited portion of Lynch et al. reflects the presentation of lower cost alternative travel arrangements once a particular travel arrangement has been selected. It is merely a shopping comparison feature used to compare pricing and present alternatives. Unlike this simple pricing comparison feature, the “component bundler” recited in the independent claims is used to assemble discrete travel products into a package to be presented to the consumer – typically at a reduced pricing that is available because of the compilation of multiple travel products into a package. (See ¶¶ [0030] and [0031] for a description of the component bundler.) Thus, Lynch et al. does not teach the use of the claimed component bundler.

Finally, even as noted in the Office Action, the “travel discounts” described in Lynch et al. at col. 2, lines 65-67 are different from the rate information recited in the independent claims. The claimed rate information is provided by the travel product supplier and there is no mention of the source of the “travel discounts” in Lynch et al. There could be many sources for such

“travel discounts” that are not provided by the travel product supplier, e.g., an AARP or AAA discount.

As for independent claims 18 and 19, Lynch et al. is cited as disclosing the compilation step performed by a component bundler. The Office Action refers to Lynch et al. at col. 7, line 8 to col. 8, line 65 and col. 1, lines 22-34 for such a teaching. Lynch et al. makes no such teaching. Rather, the cited portions of Lynch et al. specifically recite a process wherein alternative air travel dates and times are compared so that less expensive alternative air travel arrangements may be considered by a potential consumer. It does not teach the compilation of two or more individual travel products, e.g., a hotel room and an airline ticket, into a vacation package as is specifically recited in claims 18 and 19.

Thus, for several reasons, Lynch et al. does not teach or suggest certain of the elements recited in claims 1, 9, 16, 18, and 19 as presently presented. Thus, Applicant requests that the Office allow those claims.

Webber et al.

With respect to independent claims 1, 9, and 16, Webber et al. is cited for teaching “that the Airline Tariff Publishing Company supplies rule sets associated with flights as supplied by travel providers” The Office Action does not clearly specify the elements in independent claims 1, 9, and 16 to which the purported teaching is to be applied. Applicant assumes that Webber et al. was cited for the claimed use of “rules” that are applied to the availability and pricing of travel products. While applicant acknowledges that pricing and inventory rules are known in the travel product reservation system art, Webber et al. does not teach the use of rules in a system such as the claimed system. Thus, even if the general teaching of “rules” by Webber

et al. is combined with the teaching of Lynch et al., the combination does not teach all the elements in independent claims 1, 9, or 16.

CONCLUSION

Accordingly, in view of the amendments and remarks presented herein, it is respectfully submitted that claims 1, 9, 16, 18, and 19 are in condition for allowance and reconsideration of same and notice of allowance of the claims is respectfully requested. Applicant submits that no new matter has been added to the application and requests that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application, particularly before the issuance of a Final Office Action.

The Office is authorized to charge deposit account number 07-1509 for any fees associated with this transmission, including any fees for extension of time.

Respectfully submitted,

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